IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FIFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 15082 of 2004

Between:

Smt.C.Sujatha, Fair Price Shop Dealer,
Gudimiralla Village, Devanakonda Mandal,
Kurnool District.

..... PETITIONER

AND

1 The Joint Collector, Kurnool, Kurnool District.
2 The Revenue Divisional Officer, Adoni, Kurnool District.
3 The Mandal Revenue Officer, Devanakonda Mandal, Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the proceedings of the 2nd respondent bearing Rc.M.No.750/2004 dated 23-7-2004 as illegal, void and ultravires of the provisions of A.P. Schedule Commodities (Regulation of Distribution by Card System) Order 1973 and consequently direct the respondents herein to restore the authorisation of the Fair Price Shop of the petitioner situated at Gudimiralla Village, Devanakonda Mandal, Kurnool District

Counsel for the Petitioner: MR.K.V.RAGHU VEER

Counsel for the Respondent No.: GP FOR CIVIL SUPPLIES

The Court made the following :

ORDER:

Against the impugned order, dated 23.07.2004, the petitioner has already availed the alternative remedy of Appeal before the Joint Collector, Kurnool. Since the statutory appeal is pending before the competent authority, this writ petition cannot be maintained. It is open to the petitioner to urge all the grounds in the appeal pending before the Joint Collector.

However, in view of the plea of the petitioner that the 1st respondent has not passed any orders even on his application for stay so far, I deem it appropriate to dispose of the Writ petition with a direction to the 1st respondent - Joint Collector, Kurnool to consider the application for stay filed by the petitioner in her Appeal against the order of suspension dated 23-07-2004 and pass appropriate orders in accordance with law as expeditiously as possible, preferably within a period of one week from the date of receipt of a copy of this order.

Writ petition is accordingly disposed of. No costs.

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25-08-2004

Note: Issue C.C. in two days

B/o

Klp

To

1 The Joint Collector, Kurnool, Kurnool District.
2 The Revenue Divisional Officer, Adoni, Kurnool District.
3 The Mandal Revenue Officer, Devanakonda Mandal, Kurnool District.

4 2CCs to G.P.for Civil Supplies, High Court buildings,

Hyderabad.(OUT)

5 2CD copies